

REMARKS

Claims 1-10 remain pending in the application. Claims 1, 5, 6 and 7 have been amended.

Reconsideration of the rejections and allowance of the pending application in view of the foregoing amendments and following remarks are respectfully requested.

In the Office Action of October 28, 2003, claims 1, 2 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Macaulay et al., U.S. Patent No. 3,708,349 (hereinafter Macaulay) in view of Watts, U.S. Patent No. 3,614,383, claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Macaulay in view of Watts and further in view of Lehmacher et al., U.S. Patent No. 3,384,528, and claims 3, 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Macaulay in view of Watts and further in view of Herman, U.S. Patent No. 2,568,152. These rejections are respectfully traversed.

Initially, however, Applicants respectfully acknowledge that the Examiner has indicated that claim 1 would be allowable if rewritten such that the resin component sublimes during cutting with heating.

Independent claim 1 has been amended to recite that the resin component sublimes during cutting with heating in compliance with the Examiner's indication.

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With regard to claims 5 and 7, the Examiner has indicated that the limitation of “wherein the separator is made of an ordinary fiber cloth comprising a resin component which is sublimed by heating” is not a limitation directed to a structural feature of the claimed apparatus.

Claim 5 has been amended to recite a distinguishing structural feature of the bonding and cutting member, and claim 7 has been amended to recite a distinguishing structural feature of the second heating plate.

Claims 1-10 have been rejected under the second paragraph of 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, the Examiner has asserted that use of “ordinary” renders the claims indefinite.

Claims 1, 5 and 7 have also been amended to delete the word “ordinary” therein.

Independent claims 1, 5 and 7 are now in condition for allowance in view of the above-noted remarks. Dependent claims 2-4, 6, 8, 9 and 10 are also submitted to be in condition for allowance in view of their dependence from the allowable base claims and also at least based upon their recitations of additional features of the present invention. It is respectfully requested, therefore, that the rejections under 35 U.S.C. 103(a) and on the second paragraph of 35 U.S.C. 112 be withdrawn.

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Based on the above, it is respectfully submitted that this application is now in condition for allowance, and a Notice of Allowance is respectfully requested.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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